

Exhibit R

VOL. I
PAGES 1-124
EXHIBITS 1-20

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

C.A. NO.: 04-CV-11340DPW

* * * * *
STEPHEN KEEFE,

PLAINTIFF,

VS

LOCALS 805, INTERNATIONAL
LONGSHOREMEN'S ASSOCIATION,
AFL-CIO, ET. AL,
DEFENDANTS.

* * * * *

DEPOSITION OF STEPHEN KEEFE, taken on
behalf of the Defendants, pursuant to the
applicable provisions of the Federal Rules of
Civil Procedure, before Bernadette J. D'Alelio,
Notary Public and Court Reporter within and for
the Commonwealth of Massachusetts, at the
Offices of Mullen & McGourty, 52 Temple Place,
Boston, Massachusetts, on May 8, 2006,
at 10:01 a.m., as follows:

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1 you know if it is kept at the union hall or any
2 other building?
3 A. The last time I saw a constitution was
4 from 1998 or something, '94.
5 Q. That was before you were a member of
6 805, right?
7 A. (Witness nodding.)
8 Q. Prior to being a member of 805, you
9 were a member of another longshoremen's union,
10 weren't you?
11 A. Yes.
12 Q. That was up in Portsmouth, New
13 Hampshire?
14 A. Yes.
15 Q. What local was that?
16 A. Local 1947.
17 Q. Had you ever been summoned before the
18 rules committee or any hearing officer in 1947
19 while you were a member there?
20 A. Not that I recall. I don't think they
21 had a rules committee.
22 Q. Prior to filing this litigation, Civil
23 Action Number 0411340, did you pursue an appeal
24 of the rules committee's decision with the

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1 union?
2 A. For my suspension?
3 Q. Yes.
4 A. I didn't know I could appeal.
5 Q. On April 7, 2003, your attorney wrote
6 a letter to Mr. Bowers, the president of the
7 international; is that right?
8 A. Yes.
9 Q. And that letter was a complaint made
10 on your behalf to Mr. Bowers about your
11 suspension; is that right?
12 A. Yes.
13 Q. Prior to that letter being sent to
14 Mr. Bowers, had you pursued any appeal within
15 the union, either to the district council or
16 any other body in accordance with the
17 constitution?
18 A. I didn't know you could.
19 Q. Prior to filing this civil action, had
20 you pursued any appeal of your suspension
21 within the union, either to the district
22 council or any other body pursuant to the
23 constitution?
24 A. Say that again, please?

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1 MR. MAHONEY: Can you read that
2 back, please, Bernadette?
3 (Question read.)
4 A. I didn't know you could.
5 Q. Do you recall when we were talking
6 about Exhibit 5 earlier, which are the hiring
7 hall rules?
8 A. Yes.
9 Q. We were previously talking about the
10 hiring hall rules in regard to the pledge
11 sheet. Do you recall that?
12 A. Yes.
13 Q. What I want to focus your attention
14 now on is Rule 25. You t
15 Tell me if I read this incorrectly. I
16 will try to do it upside down.
17 "All members who have a grievance must
18 go through proper channels first before
19 bringing a lawsuit against the ILA or any
20 local."
21 Did I read that correctly?
22 A. Yes.
23 Q. "(The channels are as follows: First,
24 they must go through their local; next, New

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1 England Dock & Marine Council or Atlantic
2 District Council; and then the international.)"
3 Did I read that correctly?
4 A. Yes.
5 Q. And these are the hiring hall rules
6 that were in effect in 2003 at the time of your
7 suspension; isn't that right?
8 A. Yes.
9 Q. And prior to filing this lawsuit, did
10 you make any request to the New England Dock &
11 Marine Council or the Atlantic District Council
12 appealing your suspension?
13 A. I never read that rule. I didn't know
14 I could. If I did, I would have went that
15 avenue.
16 Q. Your attorney did write to the
17 president; is that right?
18 A. Yes.
19 Q. And you received Mr. Bowers' response,
20 the president's response, in December 2003;
21 isn't that right?
22 A. Yes.
23 Q. And was it after you received
24 President Bowers' response that you then filed

31 (Pages 118 to 121)

DUNN & GOUDREAU

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